

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
EASTERN (WATERLOO) DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 18-CR-2034-CJW
	)	
vs.	)	
	)	GOVERNMENT'S
RANDY CONSTANT,	)	MEMORANDUM REGARDING
	)	SENTENCING
Defendant.	)	

The United States provides this memorandum regarding sentencing.

**I. CASE SUMMARY**

A. Witnesses:

- (1) Assistant Special Agent in Charge, USDA-OIG, Brad Meyer
- (2) Special Agent, USDA-OIG, Chris Phillips

B. Exhibits:

- (1) 2016 Customer Deposits
- (2) 2016 Customer Purchases by Bushel
- (3) Survey Excerpts
- (4) Stipulation

C. Issues:

The Presentence Investigation Report (PSR) identified one issue for the Court's immediate resolution: the identification of victims and the appropriateness of a restitution award. In addition, the PSR noted that that the defendant contemplated filing a motion for a downward departure and/or variance. If such a

motion is filed, the United States will respond in accordance with the Court's deadlines. A brief addressing the victim and restitution issue as well as the appropriateness of a significant sentence for this defendant is attached to this memorandum.

CERTIFICATE OF SERVICE

I certify that I electronically served a copy of the foregoing document to which this certificate is attached to the parties or attorneys of record, shown below, on August 9, 2019.

UNITED STATES ATTORNEY

BY: /s/ TVM

COPIES TO: Mark Weinhardt  
US Probation

Respectfully submitted,

PETER E. DEEGAN, JR.  
United States Attorney

By, */s/ Jacob A. Schunk*

JACOB A. SCHUNK  
ANTHONY R. MORFITT  
Assistant United States Attorney  
111 7<sup>th</sup> Avenue SE, Box 1  
Cedar Rapids, IA 52401-2101  
(319) 363-6333  
jacob.schunk@usdoj.gov